

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 17505-IA18-0816-007

IN THE MATTER OF:)

Samuel Saldivar)
53 N. McLean Blvd.)
Elgin, IL 60123)

Respondent.)

Type of Agency Action: Enforcement)

Producer's License: 1040753)

FILED

OCT 19 2018

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER


The Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Erica J. Dobbs, and Samuel Saldivar ("Respondent"), a licensed independent adjuster using Indiana as his designated home state, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department of Insurance ("Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, which requires that the Respondent retake and pass the Indiana independent licensure examination without impermissible assistance, places Respondent's license in probationary status until Respondent has successfully passed the licensure examination, and revokes Respondent's license for one (1) year if he fails to successfully pass the licensure examination within ninety (90) days of the date of this order, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry, attached, as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner as follows:

1. Respondent shall pass the Indiana independent adjuster licensure exam, without impermissible assistance, no later than ninety (90) days after the date of this order.
2. Respondent's independent adjuster license shall be placed into probationary status until credible evidence has been present to the Department that the Respondent has successfully passed the licensure exam.
3. Should Respondent fail to present evidence that has successfully passed the licensure exam within 90 days, his license will be subject to revocation for one year, after which time he may reapply for licensure.

ALL OF WHICH IS ORDERED this 19 day of October 2018.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Dennis Wood, Supervising Investigator
Indiana Department of Insurance
311 West Washington St, Suite 103
Indianapolis, Indiana 46204-2787

Samuel Saldivar
53 N. McLean Blvd.
Elgin, IL 60123

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STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Erica J. Dobbs, and Samuel Saldivar ("Respondent"), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a licensed independent adjuster using Indiana as his designated home state under license number 1040753;

WHEREAS, Indiana Code § 27-1-28-18(b)(11) states the Commissioner may revoke an independent adjuster license or place an independent adjuster on probation for cheating, including improperly using notes or any other reference material, to complete an examination for an insurance license;

WHEREAS, Respondent used study aids and/or received assistance in passing his licensure exam on May 28, 2015;

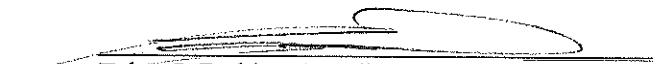
WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

IT IS, THEREFORE, NOW AGREED by and between the Parties as follows:

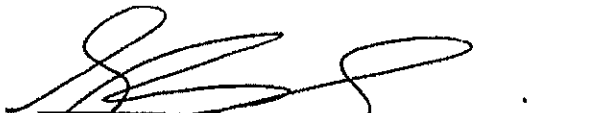
1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing on the issues in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent agrees to successfully pass the Indiana independent adjuster licensure exam, without any impermissible assistance, no later than ninety (90) days after the approval of this agreement.
6. Respondent's license shall be in probationary status until the Respondent successfully completes the Indiana independent adjuster exam.
7. If Respondent has not successfully passed the Indiana independent adjuster licensure exam within 90 days after the approval of this agreement, Respondent's Indiana independent adjuster license shall be revoked for one year, after which the Respondent may reapply for licensure.
8. Should additional violations manifest, further administrative actions will be taken for the new violation(s).
9. The Department agrees to accept Respondent's compliance with this agreement as full satisfaction of this matter.

10. Respondent has carefully read and examined this agreement and fully understands its terms.
11. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
12. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
13. Respondent is aware that failure to comply with any of the terms of this agreement will result in the matter being set for a hearing.

10/18/18
Date Signed


Erica J. Dobbs Atty # 30588-49
Indiana Department of Insurance
317-234-5887

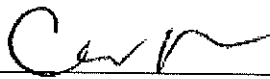
9/6/18
Date Signed


Samuel Saldivar, Respondent

STATE OF ILLINOIS)
) SS:
COUNTY OF Coole)

Before me a Notary Public for Coole County, State of Illinois
personally appeared Samuel Saldivar, and being first duly sworn by me upon his oath, says that
the facts alleged in the foregoing instrument are true.

Signed and sealed this 6th day of September, 2018.


Signature

Candace Bell
Printed

My Commission expires: July 13, 2020

County of Residence: Coole

